

Decisions announced without Opinions.

DECISIONS ANNOUNCED WITHOUT OPINIONS
DURING THE TIME COVERED BY THIS VOLUME.

No. 92. MISSOURI, KANSAS AND TEXAS RAILWAY COMPANY *v.* ELLIOTT. Error to the United States Circuit Court of Appeals for the Eighth Circuit. Argued and submitted January 13, 1902. Decided January 20, 1902. Judgment affirmed with costs, by a divided court, and cause remanded to the United States Court for the Northern District of the Indian Territory. *Mr. James Hagerman*, *Mr. C. L. Jackson* and *Mr. J. M. Bryson* for the plaintiffs in error. *Mr. William T. Hutchings* and *Mr. Preston C. West* for the defendants in error.

No. 104. MUTUAL LIFE INSURANCE COMPANY OF NEW YORK *v.* DINGLEY, ADMINISTRATOR. On writ of certiorari to the United States Circuit Court of Appeals for the Ninth Circuit. Argued for petitioner January 15, 1902. Decided January 20, 1902. *Per Curiam*. Judgment of the United States Circuit Court of Appeals and of the Circuit Court of the United States for the District of Washington reversed, with costs, on the authority of *Mutual Life Insurance Company v. Cohen*, 179 U. S. 262, and cause remanded to said Circuit Court for further proceedings in conformity to law. *Mr. Frederic D. McKenney*, *Mr. Julien T. Davies*, *Mr. E. L. Short* and *Mr. John B. Allen* for the petitioner. No counsel appeared for the respondent.

No. 102. TOWN of WESTON *v.* TIERNEY. Appeal from the Circuit Court of the United States for the District of West Virginia. Submitted January 15, 1902. Decided January 27, 1902. *Per Curiam*. Decree reversed, with costs, and cause remanded to the Circuit Court of the United States for the Northern District of West Virginia with directions to dismiss

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the bill for want of jurisdiction, on the authority of *United States v. Sayward*, 160 U. S. 497; *Holt v. Indiana Manufacturing Company*, 176 U. S. 68-73. *Mr. E. A. Brannon* for the appellant. *Mr. W. W. Brannon* for the appellee.

No. 241. *BOGY v. DAUGHERTY*. Appeal from the United States Circuit Court of Appeals for the Eighth Circuit. Motion to dismiss submitted January 27, 1902. Decided February 3, 1902. *Per Curiam*. Dismissed for the want of jurisdiction on the authority of *Rice v. Sanger*, 144 U. S. 197; *Haseltine v. Central National Bank*, 183 U. S. 130. *Mr. William M. Mellette* and *Mr. Edgar Smith* for the motion. *Mr. Joseph K. McCammon* and *Mr. James H. Hayden* opposing.

No. 364. *BIGGER v. RYKER, COUNTY TREASURER OF RENO COUNTY, KANSAS*. Error to the Supreme Court of the State of Kansas. Submitted January 27, 1902. Decided February 3, 1902. *Per Curiam*. Dismissed for the want of jurisdiction on the authority of *Giles v. Little*, 134 U. S. 645; *Tyler v. Judges of the Court of Registration*, 179 U. S. 405. *Mr. George A. Vandever* for the plaintiff in error. *Mr. Thomas T. Taylor* for the defendants in error.

No. 306. *BOARD OF COUNCILMEN OF THE CITY OF FRANKFORT v. STATE NATIONAL BANK OF FRANKFORT*. Appeal from the Circuit Court of the United States for the District of Kentucky. Argued March 6 and 7, 1902. Decided March 17, 1902. *Per Curiam*. Decree reversed, with costs, and cause remanded to the Circuit Court of the United States for the Eastern District of Kentucky with directions to remand to the state court, on authority of *Tennessee v. Union & Planters Bank*, 152 U. S. 454; *Arkansas v. Kansas & Texas Coal Company*, 183 U. S. 185, and cases cited. *Mr. Ira Julian* and *Mr. W. H. Julian* for the appellant. *Mr. T. L. Edelen* for the appellee.

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No. 409. *BERNARD v. PEOPLE OF THE STATE OF MICHIGAN*. Error to the Supreme Court of the State of Michigan. Argued March 12, 1902. Decided March 17, 1902. *Per Curiam*. Dismissed for the want of jurisdiction on the authority of *Railway Company v. Fitzgerald*, 160 U. S. 556; *Railroad Company v. Woodruff*, 153 U. S. 689, and cases cited. *Mr. M. C. Burch*, *Mr. Dwight Goss* and *Mr. John L. Lott* for the plaintiff in error. *Mr. David Anderson* and *Mr. Horace M. Oren* for the defendants in error.

No. 486. *DOBBS AND NEW v. STATE OF KANSAS*. Error to the Supreme Court of the State of Kansas. Argued March 12 and 13, 1902. Decided March 17, 1902. *Per Curiam*. Dismissed for the want of jurisdiction on the authority of *Brown v. New Jersey*, 175 U. S. 174; *Hamblin v. Western Land Company*, 147 U. S. 531; *Railway Company v. Fitzgerald*, 160 U. S. 576. *Mr. John Stowell* for the plaintiffs in error. *Mr. T. C. Turner* (by special leave), *Mr. A. A. Godard* and *Mr. J. S. West* for the defendant in error.

No. 535. *STATE OF MISSOURI AT THE RELATION OF THE DELMAR JOCKEY CLUB v. ZACHRITZ, JUDGE, ETC.* Error to the Supreme Court of the State of Missouri. Motions to dismiss or affirm submitted March 10, 1902. Decided March 17, 1902. *Per Curiam*. Dismissed for the want of jurisdiction on the authority of *Hamblin v. Western Land Company*, 147 U. S. 531; *Wilson v. North Carolina*, 169 U. S. 595. *Mr. Edward C. Crow* for the motions.

No. 204. *AMERICAN ARISTOTYPE COMPANY v. UNITED STATES*. Appeal from the Court of Claims. Argued March 21, 1902. Decided March 24, 1902. *Per Curiam*. Judgment affirmed on the authority of *Dunlap v. United States*, 173 U. S. 65. *Mr. William B. Hornblower*, *Mr. George A. King* and *Mr. William B. King* for the appellant. *Mr. Attorney General*,

Decisions on Petitions for Writs of Certiorari.

Mr. Assistant Attorney General Pradt and Mr. Charles C. Binney for the appellee.

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NO. 479. LAKELAND TRANSPORTATION COMPANY *v.* MILLER. Sixth Circuit. Second petition denied January 20, 1902. *Mr. Harvey D. Goulder, Mr. Frank S. Masten and Mr. Frank S. Bright* for petitioner. *Mr. F. H. Canfield* opposing.

NO. 462. DAVEY PEGGING MACHINE COMPANY *v.* ISAAC PROUTY & CO., INCORPORATED. First Circuit. Denied January 20, 1902. *Mr. W. K. Richardson and Mr. F. P. Fish* for petitioner. *Mr. Louis W. Southgate* opposing.

NO. 514. PRESIDENT & C. OF THE INSURANCE COMPANY OF NORTH AMERICA *v.* STEAMSHIP "HARROGATE." Second Circuit. Denied January 20, 1902. *Mr. Robert D. Benedict and Mr. Lawrence Kneeland* for petitioners. *Mr. Harrington Putnam* opposing.

NO. 507. SINGER MANUFACTURING COMPANY *v.* CRAMER. Ninth Circuit. Granted January 20, 1902. *Mr. Charles K. Offield* for petitioner. *Mr. John H. Miller* opposing.

NO. 513. FIDELITY AND DEPOSIT COMPANY OF MARYLAND *v.* THE L. BUCKI & SON LUMBER COMPANY. Fifth Circuit. Granted January 20, 1902. *Mr. R. H. Liggett* for petitioner. *Mr. H. Bisbee and Mr. George C. Bedell* opposing.

NO. 451. MARTIN *v.* STEAMSHIP "SOUTHWARK." Third Cir-